

## **Topic 8: Time Lines for Permanency Case Actions**

Link to [Procedure](#)

Iowa Law requires that permanency be achieved in six months for children ages three or under and within 12 months for children ages four or older. Time lines are measured by the distance between these two dates:

- ◆ **“Entry into foster care”** is defined as the date of a child’s removal from the child’s normal place of residence and placement in a substitute care setting under the care and placement responsibility of the Department. A child is considered to have entered foster care if the child has been in substitute care for 24 hours or more.
- ◆ **“Discharge from foster care”** is defined as the point when the child is no longer in foster care under the care and placement responsibility or supervision of the agency. If a child returns home on a trial home visit and the agency retains responsibility or supervision of the child, the child is not considered discharged from foster care unless:
  - The trial home visit is longer than six months, and
  - There is no court order extending the trial home visit beyond six months.

Permanency time lines are established by judicial review. Document permanency planning in case permanency plans or by obtaining a copy of the court order. Follow these time lines (based on [ASFA](#)) for children in foster care who are not likely to be reunified with their family.

### **Reunification**

Concerted efforts must be made to reunify the child safely with the parents or primary caregiver. Reunification must occur at the earliest possible time or within **12 months** of the child entering foster care.

A goal of “reunification” is defined as a plan for the child to be discharged from foster care to his or her parents or primary caretaker. Justification for the delay in permanency beyond 12 months must be documented in the case plan. Examples:

1. The permanency goal of reunification has been in place for longer than 12 months, but there is a concurrent goal of adoption and the agency and court also are working toward the goal of adoption.

2. The permanency goal of reunification has been in place for longer than 12 months, but the child was physically returned to the parents during or before the 12th month and remained at home on a trial home visit beyond the 12th month.

**Note:** The length of time that the child spent in out-of-home care and on the trial home visit must be reasonable given the child and family circumstances.

### **Permanent Placement With a Guardian or Relative**

If reunification is not appropriate, concerted efforts must be made to permanently place the child with a guardian or relative at the earliest possible time or within **12 months** of the child entering foster care.

A goal of “guardianship” is defined as a plan for the child to be discharged from foster care to a legally established custody arrangement that is intended to be permanent.

A goal of “permanent placement with relatives” is defined as a plan for the child to be discharged from foster care to the permanent care of a relative other than the one from whose home the child was removed.

### **Adoption**

ASFA requires an agency to seek termination of parental rights and adoption when:

- ◆ A court of competent jurisdiction has determined that the child is an abandoned child, or
- ◆ The child’s parents have been convicted of one of the felonies designated in Section 475(5)(E) of the Social Security Act, including:
  - Committed murder of another child of the parent;
  - Committed voluntary manslaughter of another child of the parent;
  - Aided or abetted, attempted, conspired, or solicited to commit such a murder or a voluntary manslaughter; or
  - Committed a felony assault that resulted in serious bodily injury to the child or another child of the parent.
- ◆ A child has been in foster care for 15 of 22 months.

Concerted efforts must be made to achieve the goal of adoption at the earliest possible time or within **24 months** of the child's entry into foster care. In order to meet this time limit, concurrent planning is necessary in most cases.

If particular circumstances warrant a delay in adoption of the child, document the circumstances in the case plan. These circumstances must be beyond the control of the agency or the courts. Examples:

1. There is evidence that the agency has made concerted efforts to find an adoptive home for a child with special needs, but the appropriate family has not yet been found.
2. A pre-adoptive placement has disrupted despite concerted efforts on the part of the agency to support it.

### **Another Planned Permanent Living Arrangement**

"Another planned permanent living arrangement" (APPLA) means that the child, even though remaining in foster care, is in a "permanent" living arrangement with a foster parent or relative caregiver and that there is a commitment on the part of all parties involved that the child remain in that placement until the child reaches the age of majority.

The APPLA goal refers to a situation in which the Department maintains care and placement responsibilities for and supervision of the child, and places the child in a setting in which the child is expected to remain until adulthood, such as with:

- ◆ Foster parents who have made a commitment to care for the child permanently,
- ◆ Relative caregivers who have made a commitment to care for the child permanently, or
- ◆ A long-term care facility (for example, for a child with developmental disabilities who requires long-term residential care services).

Document efforts to ensure that a child who does not have a goal of adoption, reunification or guardianship has long-term stability until the child reaches adulthood.

Formal steps must be completed to make this arrangement permanent. A formal agreement would include a signed agreement or a court order that are part of the case file. Examples of "permanent" living arrangements include situations where:

- ◆ Foster parents have made a formal commitment to care for the child until adulthood.
- ◆ The child is with relatives who plan to care for the child until adulthood.
- ◆ The child is in a long-term care facility to meet special needs and will be transferred to an adult facility at the appropriate time.
- ◆ The child is an older adolescent in a stable group home and both the group home directors and the child have agreed that it will be the child's placement until adulthood.
- ◆ The child is in agency-supervised transitional living.

### **Independent Living Services**

Independent living services should be provided to all youth age 16 and older. A child with a goal of APPLA must be adequately prepared to make the transition from foster care to independent living if it is expected that the child will remain in foster care until the child reaches the age of majority.

This goal may be applicable when a child is expected to remain in one of the following placements until reaching the age of majority:

- ◆ The existing foster care placement.
- ◆ Long-term foster care placement with a non-relative foster parent.
- ◆ Long-term foster care placement with a specified relative.
- ◆ Placement in a long-term care facility until transition to an adult care facility.

Usually when this type of goal is specified, the child is age 16 or older, but that is not always the case. DHS must assess all youth age 16 and older.